



SB 22

REVISE SOCIAL WORK, PROFESSIONAL COUNSELOR, MARRIAGE AND FAMILY THERAPIST LAWS

BY REQUEST OF THE BOARD OF SOCIAL WORK EXAMINERS & PROFESSIONAL COUNSELORS

SPONSOR - SEN. JILL COHENOUR SD 42

EXHIBIT 4
DATE 2/17/2015
SB 22

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SUMMARY OF CHANGES OR ACTUAL AMENDMENT LANGUAGE

- The bill proposes to change the title of the Board from the Board of Social Work Examiners and Professional Counselors to the Board of Behavioral Health.
- The bill adds a new section to each license type that defines an in-training status for social workers, professional counselors, and marriage and family therapists.
- The bill adds a new section for marriage and family therapists that require fingerprinting and background check of licensure applicants.
- The bill removes obsolete grandfathering language from the marriage and family therapy licensing provisions to eliminate confusion.

OVERVIEW OF BOARDS' POSITION

The Board of Social Work Examiners and Professional Counselors regulate three professions, social workers, professional counselors, and marriage and family therapists. A bill proposed during the 2009 legislative session added marriage and family therapists to the licensed types under the authority of the Board. SB22 attempts to update statute to accurately rename the Board and standardize licensure requirement among the three professions while maintaining their individual professional identities. The proposed name change encompasses all current license types as well as any future license types that elect to join the board. Adding an in-training status for all credentials standardizes the process and sets a bar of this category of practitioner as well as protects the public. Requiring fingerprint and background checks for marriage and family therapists elevates their requirements to the same level as social workers and professional counselors.

SUPPORT FOR BOARDS' POSITION

NAME CHANGE: Originally the Board of Social Work Examiners and Professional Counselors licensed two credentials; social workers and professional counselors. The marriage and family therapists credential came under the authority of this board in 2009. The bill established the new license type however did not propose a board title change. The new board name would accurately identify the board including marriage and family therapists as well as any future license types that may come under the authority of this board.

IN-TRAINING STATUS FOR LICENSURE CANDIDATES: For many years the board has considered the dilemma of unregulated individuals who are working with clients as they obtain the experience required for licensure. Data from unprofessional conduct cases and the screening panel clearly identified the risk to the public and vulnerable clientele. Past attempts with legislation have been made by the Board. Their efforts included board sponsored bills as well as bills proposed by counselor associations in the state and supported by the Board. Those past attempts failed unfortunately while evidence of the need and risk to the public continued to rise. Registration of in-training practitioners would also provide a secondary purpose. At present the communication with in-training practitioners is a one way communication. They contact the Board or board staff when they have a need or they rely on their supervisors, colleagues, or agencies to provide relevant updates to them. There is no way to know who or where in-training practitioners are or how to contact them. Registration that includes contact information would provide for two way communication between the Board and candidates. Communication with candidates could include licensure process updates, rule changes, and legislation just to name a few. Demographic information could also assist university and agency research in examining work force and service issues.



Montana Department of
LABOR & INDUSTRY



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SUPPORT FOR BOARDS' POSITION *CONTINUED...*

FINGERPRINT AND BACKGROUND CHECKS FOR MARRIAGE AND FAMILY THERAPIST CANDIDATES: The marriage & family therapist license under the authority of the board during the 2009 legislative session in a bill proposed by the Montana chapter of Marriage and Family Therapists. Coincidentally, a bill was also introduced during that session which required fingerprinting and background checks for professional counselors and social workers. Both bills passed however the MFT bill did not include fingerprinting and background checks as a requirement for licensure. Since the 2009 session the Board has worked closely with the Association in drafting rules for the marriage and family therapist credential. The Association has expressed a sincere wish to comply with the minimum standards adhered to by both social workers and professional counselors including fingerprinting and background checks for licensure candidates. The Association supports this legislative change.

OBSOLETE LANGUAGE: This change is an effort to tidy up the language in statute to avoid confusion and clarify requirements for licensure.

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